IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4035 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JITENDRA VIRCHANDBHAI SHAH

Versus

STATE OF GUJARAT

Appearance:

MR AK CLERK for Petitioner No. 1-4

Ms NANDINI JOSHI, AGP for Respondent No. 1-2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 28/06/2001

ORAL JUDGEMENT

The petitioners, five in number, are parents of the students who had opted for technical subjects in standards 8, 9 and 10 and all of whom had passed 10th or 12th standard examinations with technical subjects in standards 8, 9 and 10 from C.N. High School, Ahmedabad. The students who have passed Std. 10 with technical subjects were granted some weightage of marks while seeking admissions to the engineering degree courses.

That policy came to be modified by the Government Resolution dated 5.5.1999. Contending that the change in policy effected by the said Government Resolution dated 5.5.1999 prejudicially affected the interest of the petitioners' wards, the present petition came to be filed in June, 1999 as the petitioners' wards were seeking admissions to the engineering courses for the academic year 1999-2000.

2. On 10.6.1999 this Court had issued Rule on the petition and fixed it for early final hearing. Till then, ad-interim relief was also granted against the implementation of the said resolution. It, however, appears that during pendency of the petition, the State Government issued another Government Resolution dated 14.6.1999 suspending the implementation of the aforesaid Government Resolution dated 5.5.1999 for a period of three years from 1999-2000 to 2001-2002.

3. Mr Clerk, learned counsel for the petitioners states that in view of the aforesaid developments, the present petition has become infructuous.

4. The petition is accordingly dismissed as infructuous. Rule is discharged with no order as to costs. Ad-interim relief granted earlier stands vacated.

(M.S. Shah, J.)
sundar/-